

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public Services - Commercial Taxes Department - Sri Syed Abdul Khader, Assistant Commercial Tax Officer (Retired), Vidyanagar Circle, Hyderabad - Trapped on 20.12.2006 - Disciplinary proceedings initiated for violation of APCS (Conduct) Rules, 1964, i.e., non-submission of Annual Property Returns - Inquiry report submitted- Imposition of 5% cut in pension for a period of 5 years - Orders - Issued.

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**REVENUE (VIG.I) DEPARTMENT**

**G.O.Rt.No. 1208**

**Dated:14-08-2012.**

**Read the following:**

1. The Deputy Commissioner (Commercial Taxes), Secunderabad Division, Hyderabad, Letter Rc. No. AM/171/06-1, dt: 20.08.2008.
2. From Sri Syed Abdul Khader, ACTO (Retd.) Secunderabad Division, Hyderabad representation, dt:12.09.2008.(WSD)
3. The Deputy Commissioner (Commercial Taxes), Secunderabad Division, Hyderabad Letter Rc. No. AM/171/06, dt: 10.12.2008.
4. Inquiry Report of the CTO, Ashoknagar Circle, Hyderabad in Rc. No. HC/2009, dt: 25.5.2009.
5. Show-Cause-Notice issued by the Deputy Commissioner (Commercial Taxes), Sec'bad Division, Hyderabad in Rc. No. AM/171/06, Dt: 22.9.2009.
6. From Sri Syed Abdul Khader, ACTO (Retd.) Secunderabad Division, Hyderabad representation, dt:5.10.2009 addressed to the Deputy Commissioner (Commercial Taxes), Secunderabad Division, Hyderabad.
7. From the Commissioner of Commercial Taxes, A.P, Hyderabad Letter No.V3/1659/2006, Dt: 18.2.2010.
8. Govt. Memo.No.1353/Vig.I (2)/2007-4, Dt:15-06-2011.
9. From Sri Syed Abdul Khader, ACTO (Retd.),Vidyanagar, Hyderabad representation, dt:15.07.2011.
10. Govt. letter No. 1353/Vig-I (2)/2017-8, dt:25.05.2012.
11. From the Secretary, APPSC., letter No.1138/RT/3/2012, dt.15.06.2012.

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**ORDER:**

In the reference 1<sup>st</sup> read above, the Deputy Commissioner (Commercial Taxes), Secunderabad Division, framed charges against Sri Syed Abdul Khader, Assistant Commercial Tax Officer, O/o. Commercial Tax Officer, Vidyanagar Circle, Secunderabad Division, who failed to submit Annual Property Returns and thereby violated the A.P.C.S (Conduct) Rules, 1964.

**Contd..P2.,**

2. And whereas, in the reference 2<sup>nd</sup> read above, Sri Syed Abdul Khader, Assistant Commercial Tax Officer submitted that he filed the Annual Property Returns regularly every year and requested to drop further action against him as the action of the Anti-Corruption Bureau was fully motivated and forcibly implicated him for no fault on his part in contravention to the rule 9(7) of APCS (Conduct) Rules, 1964.

3. And whereas, in the reference 3<sup>rd</sup> read above, orders were issued appointing the Commercial Tax Officer, Ashoknagar Circle, Secunderabad Division, Hyderabad, as the Inquiry Authority to inquire into the charges framed against Sri Syed Abdul Khader, Assistant Commercial Tax Officer. The Inquiry Officer, vide reference 4<sup>th</sup> read above, submitted the Inquiry Report in respect of Sri Syed Abdul Khader, Assistant Commercial Tax Officer, O/o. Commercial Tax Officer, Vidyanagar Circle, Hyderabad (now Retd.) and held that the charge is partly proved.

4. And whereas in the reference 5<sup>th</sup> read above a copy of the enquiry report was communicated to the Delinquent Officer calling for his representation thereon. Accordingly, Sri Syed Abdul Khader, Assistant Commercial Tax Officer (now Retd.) has submitted his representation on the findings of Enquiry Officer in the reference 6<sup>th</sup> read above.

5. And whereas in the reference 7<sup>th</sup> read above the Commissioner of Commercial Taxes, A.P, Hyderabad, while enclosing the article of charges, explanation of the Charged Officer, Enquiry Report, Show Cause Notice and explanation of the Charged Officer, requested the Government to take further action against Sri Syed Abdul Khader, Assistant Commercial Tax Officer under APRP Rules, 1980, as the individual retired from Government service on 31.12.2008.

6. The Government, after careful examination of the findings of the Inquiring Authority and the remarks of the Deputy Commissioner, Commercial Taxes, Secunderabad Division, Hyderabad thereon, have provisionally decided to impose a penalty of 5% cut in pension for a period of 5 years under rule 9 of A.P. Revised Pension Rules, 1980 against Sri Syed Abdul Khader, Assistant Commercial Tax Officer (Retd.), since the charge is partly proved. Accordingly a Show Cause Notice has been issued to the Delinquent Officer calling for his explanation vide reference 8<sup>th</sup> read above.

7. And whereas in the reference 9<sup>th</sup> read above the Delinquent Officer has reiterated his submissions as deposed before the enquiry officer and stated that he did not contravene the APCS (Conduct) Rules, 1964 and the proposed punishment of 5% cut in pension for a period of 5 years is excessive in proportion to the guilt established and totally unwanted and requested to drop further action.

8. Government have examined the explanation of the Delinquent Officer and decided to confirm the provisional decision i.e., to impose the punishment of 5% cut in pension for a period of 5 years against Sri Syed Abdul Khader, Asst. Commercial Tax Officer (Retd.), since the burden of proof lies with the Delinquent Officer for proving that he filed APRs., relating to the years 2003 to 2005 but he failed to do so.

**Contd..P3.,**

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9. And whereas, in the reference 10<sup>th</sup> read above, the Secretary, A.P. Public Service Commission was requested to obtain the concurrence of the Commission on the proposed punishment of 5% cut in pension for a period of 5 years under rule 9 of A.P. Revised Pension Rules, 1980 against Sri Syed Abdul Khader, Assistant Commercial Tax Officer (Retd.) for taking further action in the matter.

10. And whereas, in the reference 11<sup>th</sup> read above, the Secretary, A.P. Public Service Commission have stated that the Commission agreed with the proposal of Government to impose the punishment of 5% cut in pension for a period of 5 years against the above Delinquent Officer.

11. Government, after careful examination of the matter and in exercise of the powers conferred under rule 9 of A.P. Revised Pension Rules, 1980 read with rule 20 of the A.P. Civil Services (CCA) Rules, 1991, hereby impose the punishment of 5% cut in pension for a period of 5 years against Sri Syed Abdul Khader, Assistant Commercial Tax Officer (Retd.). Copy of the advice of the A.P. Public Service Commission, dt.15.06.2012, as required under Rule 23 of the A.P.C.S (CC&A) Rules, 1991 is herewith furnished to the individual.

12. The Commissioner of Commercial Taxes, A.P, Hyderabad shall take necessary action in the matter, accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
Sri Syed Abdul Khader, Assistant Commercial Tax Officer,  
O/o. Commercial Tax Officer, Vidyanagar Circle, Hyderabad (now Retd.)  
through the Commissioner of Commercial Taxes, A.P. Hyderabad.  
The Commissioner of Commercial Taxes, A.P. Hyderabad

**Copy to:-**

The Secretary to V.C., A. P. Vigilance Commission, Hyderabad.  
The Director General, Anti Corruption Bureau, Hyderabad.  
The Accountant General, A.P., Hyderabad.  
The Director of Treasuries & Accounts, A.P., Hyderabad.  
The District Treasury Officer, Hyderabad District.  
The Secretary, A.P. Public Service Commission, Hyderabad.  
(with reference to Lr.No.1138/RT/3/2012, dt.15.06.2012).  
The Revenue (CT.I) Department.

SF/SCs.

**//Forwarded:: By Order //**

**SECTION OFFICER.**